

March 6, 1984

LB 916

Nebraska's conditions. If you are a tenant now or a landlord for a residential apartment and you have a question about what the nature of the law is, you can look in the statutes and find in the Landlord-Tenant Law. If you live in a mobile home and you want to know what the common law is, you have to search through 200 volumes of Supreme Court decisions in this state to find the answers to your questions and many of the answers aren't in there. LB 916 gives those answers. Many of the original opening sections are definitions but then it lays out some basic guidelines of first, what are the nature of the underlying agreements in the absence of a lease? Secondly, provisions that leases may not include because they're so inherently unfair. Third, a declaration of the responsibilities of landlords and tenants and their rights towards each other. Fourth, a recognition of the theory of retaliation which says that a landlord may not evict someone for exercising a good faith opportunity to complain for example, a health or safety hazard to the Fire Marshal or the Department of Health. Fifth, it outlines the damages that can be assessed in different situations. Sixth, it lays out the rule and regulation making authority and the time lengths that have to be done in the operation of the park. It also includes sections on governing the situation of abandoned mobile homes and the rules to be followed. And the provision for moving mobile homes and how that must be transacted. I would also add that there are a number of situations for emergency conditions, emergency acceptance of rules and regs., emergency eviction conditions, and the bill generally writes out the guidelines to be followed for mobile homes. I'd be happy to answer questions. I think it has a firm basis in working law in Iowa. It is a product of a reasonable negotiation. It is a balanced compromise and I would move for its advancement.

SPEAKER NICHOL: Mr. Clerk, do you have an amendment to the bill?

CLERK: Mr. President, the first item was...Senator Lamb, I understand you wish to withdraw. Mr. President, then I have an amendment from Senator Jacobson to the bill. (See page 1373 of the Legislative Journal.)